

REMARKS:

In the detailed office action mailed November 21, 2003, the Examiner objected to the Abstract and rejected claim 2-19, 21-23, and 42-48 under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention. Claims 24-31 were objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Moreover, claim 1 is rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claim 55 of copending Application No.'s 10/147,676 and 10/147,674.

The Applicant takes this opportunity to thank the Examiner for the interview on November 13, 2003. The comments and remarks contained herein include the substance of the interview.

Election/Restrictions

In the detailed action, the Examiner recapped the events which transpired following the mailing of Paper No. 6, Office Action requiring restriction, mailed July 17, 2003. The Examiner clarified that Invention I is encompassed in claims 1-31 and 42-48, not claim 1-31 and 32-41 as mistakenly represented in Paper No. 6, pg. 2.

Somehow, however, the Examiner has become confused with respect to claim 20. The Examiner has listed claim 20 among the list of withdrawn claims. *See* Office Action, mailed November 21, 2003, pg. 2, lines 12-17. The Applicant does not know the reasoning behind the withdrawal of claim 20. Claim 20 is a dependent claim, depending from claim 2, which itself depends from claim 1, all of which are in the elected group of claims of Invention I. Therefore, the Applicant firmly believes the Examiner's notation that claim 20 is withdrawn is a mistake and seeks clarification and correction by the Examiner.

Furthermore, the Examiner states claims 20, 32-41, and 49-54 are the withdrawn claims. The Applicant further points out that the correct list of withdrawn claims is claims 32-41 and 49-55.

Claim Rejections – 35 U.S.C. § 112

The Examiner rejected claim 2-19, 21-23, and 42-48 under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention.

Claims 2, 10, 42, 44, 45, and 47 have been amended to correct for any alleged lack of antecedent basis and indefiniteness. The Applicant respectfully requests the

Examiner reconsider these claims in light of the present amendments, withdraw the rejection, and allow the claims.

Double Patenting

The Examiner rejected claim 1 under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claim 55 of copending Application No.'s 10/147,676 and 10/147,674.

Upon filing copending Application No. 10/147,676, the Applicant canceled claim 55. See File History for Application No. 10/147,676. Therefore, the double patenting rejection over Application No. 10/147,676 is moot. With regard to the provisional double patenting rejection of claim 1 of the above-identified application over claim 55 of copending Application No. 10/147,674, the Applicant will terminally disclaim any conflicting part of either the above-identified application or Application No. 10/147,674 which may extend beyond the statutory term limit of the earliest issued patent issuing from and claiming the conflicting subject matter. Therefore, upon issuance of either the above-identified application or Application No. 10/147,674, the Applicant will address and remedy this provisional double patenting rejection.

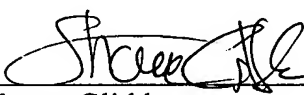
In The Specification

The Applicant concurrently submits herewith an amended abstract and respectfully requests the Examiner consider the amended abstract and substitute it for the rejected abstract.

In view of the foregoing amendments and remarks, it is believed that the application is in form for allowance and early allowance is solicited. Should the Examiner have any continuing objections, the Examiner is urged to contact the undersigned at 415-442-1106 in order to expedite allowance of this case.

Respectfully submitted,

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